

AMENDMENT AFTER FINAL (Q76325)
U.S. Appln. No. 10/618,963

REMARKS

On page 1 of the Office Action, the Examiner indicates that Claims 26-39 are pending, Claim 39 has been allowed, Claims 26, 29 and 31-34 are rejected, and Claims 27-28 and 35-38 are objected to, but would be allowable if rewritten in independent form.

In paragraph 4, on page 3 of the Office Action, the Examiner rejects Claims 26, 29 and 31-34 under 35 U.S.C. § 102(b) as being anticipated by Strezoska et al.

Specifically, the Examiner states that Strezoska et al teaches a method of sequencing all or part of a target nucleic sequence as recited in Claim 26, and that in Strezoska et al, the magnifying tags are individually labeled oligonucleotide probes hybridized to the immobilized target nucleic acid sequence (see, for example, Panel A of Figure 1).

For the following reasons, Applicant respectfully traverses the Examiner's rejection.

Applicant notes that, *inter alia*, Claims 27-28 have not been included in this rejection. Hence, the Examiner's rejection has been rendered moot by amending Claim 26 to include the recitation of Claim 27 and Claim 28, in the alternative, therein.

Applicant previously amended Claim 26 to clarify the meaning of the term "magnifying tag", and thereby clarify that Strezoska et al is not relevant to the Lingvitae "magnifying tag" technology (which involves the physical magnification of the target sequence), i.e., Claim 26 was amended to recite that the magnifying tag "comprises a nucleic acid sequence of at

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least two nucleotide bases". This amendment has been removed from Claim 26 (and presented in new Claim 40), in view of the Examiner's indication that Claims 27 and 28 would be allowable.

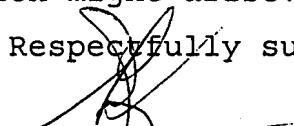
Furthermore, Claim 39 has been amended for purposes of clarity, support for which can be found on page 45, paragraph 4 of the present specification.

Accordingly, Applicant respectfully submits that the present invention is not taught or suggested in Strezoska et al, and thus request withdrawal of the Examiner's rejection.

In view of the amendments to the claims and the arguments set forth above, reexamination, reconsideration and allowance are respectfully requested.

The Examiner is invited to contact the undersigned at the below-listed number on any questions which might arise.

Respectfully submitted,


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